

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

. C. Marie)
in re the Application of:	Confirmation: 9730
Peter Phaal) Group Art Unit: 2141
Serial No.: 09/850,202) Examiner: Lien, Tan
Filed: May 7, 2001)
For TDAFFIC DRIVEN SCHEDILING)

Mail Stop Appeal Brief-Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

OF ACTIVE TESTS

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patents Appeals and Interferences from the decision dated March 29, 2005.

The items checked below are appropriate.

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Alexandria, VA 22313-1450.

EV 449193214 US	Jocelyn L. Lee
Express Mail Label No.	Name of Person Mailing Paper
4/26/05	Jonly Lile
Date of Deposit	Signature of Person Mailing Paper

OC/210972.1

1. Request and Petition for EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

E	XTENSION (months)	FEE FOR SMALL ENTITY		FOR OTHER THAN MALL ENTITY
\square	one month	\$120.00		\$60.00
Ħ	two months	\$225.00		\$450.00
Ħ	three months	\$510.00		\$1,020.00
Ħ	four months	\$795.00		\$1,590.00
	five months	\$1,080.00		\$2,160.00
		•	Fee	\$60.00

- If any extension fee is required, please consider this a petition therefore.
- Applicants believe fee for extension of time is due for one month.

2. Appeal FEES

Applicant claims small entity status pursuant to 37 CFR § 1.27.

NOTICE OF APPEAL FEE: 37 CFR §1.17 (b)	\$500.00
APPEAL BRIEF FEE: 37 CFR §1.17 (b)	\$500.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR § 1.9, 1.27, 1.28.	(\$500.00)
Extension of Time (from above)	\$60.00
TOTAL FEES SUBMITTED HEREWITH	\$560.00

3. Method of Payment of fees:

- Please charge Bingham McCutchen's Deposit Account No. 50-2518 in the amount of \$560.00. A duplicate copy this sheet is enclosed.
- The Commissioner is authorized to charge Bingham McCutchen's Deposit Account No. 50-2518 for any fees required that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account No. 50-2518.

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Respectfully submitted,

BINGHAM McCUTHEN LLP

Dated: April 26, 2005

By:

Michael J. Bolan Reg. No. 42,339

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PATENT TRADEMARK OFFICE

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